

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: PEER=2A

In re Application of:)	Confirmation No.: 1758
)	
Avi PEER et al)	Art Unit: 2874
)	
I.A. Filing Date: 04/15/2004)	Examiner: Hemang Sanghavi
371(c) Date: October 17, 2005)	
)	July 27, 2007
U.S. Appln. No.: 10/553,319)	
)	
For: METHOD AND SYSTEM FOR USE)	
IN OPTICAL CODE DIVISION..)	

REPLY TO RESTRICTION REQUIREMENT

Customer Service Window, Mail Stop Amendment
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Applicants are in receipt of the Office Action mailed June 28, 2007, entirely in the nature of a restriction requirement on the basis of alleged lack of unity of invention under the applicable PCT Rules 13.1 and 13.2. Applicants reply below.

First, however, applicants note for the record that the present application claims basis and priority from applicants' provisional application 60/462,708 filed April 15, 2003.

Restriction has been required between what is deemed by the PTO as being two patentably distinct inventions. As applicants must make an election even though the requirement is traversed, applicants hereby respectfully and provisionally elect Group I, presently claims 1-28 and 50-60, with traverse and without prejudice.

The Office Action indicates that there is a lack of unity of invention because the claims of Groups I and II do not relate to a single general inventive concept because they lack a corresponding special technical feature. More specifically, the PTO indicates that the group I invention is directed to a method of generating keys to be used in OCDMA, whereas Group II is directed to an optical multiplexer/demultiplexer. The PTO further states that the OCDMA device and multiplexer/demultiplexer device lack the corresponding special technical feature and are two different inventive concepts.

Applicants do not agree with the PTO in this regard. Indeed, as specifically indicated in the Background part of the present application, "Code Division Multiple Access (CDMA) is a well-known scheme for multiplexing communication channels..." (see page 1 lines 2-4), and further "... many channels can be multiplexed over the same bandwidth by using a different key for each channel" (page 3 lines 25-26). It is thus clear that, generally, CDMA as well as OCDMA deals with

multiplexing/demultiplexing of communication channels, which is turn is associated with generation of keys.

Moreover, Claims 1-28 and 50-60 relate to respectively a method and device for automatically generating a key and a conjugate key to be used in an optical code division multiple access system, based on a down conversion process to produce down converted broadband signal and idler fields that are complex conjugates of each other. Claims 29-49 are directed towards multiplexer/demultiplexer where each of the optical channels that are to be multiplexed/demultiplexed is represented by a pair of down converted signal and idler light fields that are complex conjugates of each other and present a key and its conjugate. It is thus clear that Groups I and II have a common special technical feature: using a pair of down converted signal and idler light fields that are complex conjugates of each other to present a communication channel in an OCDMA.

Withdrawal of the requirement and examination of all the claims on the merits are respectfully requested.

Respectfully submitted,

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